

# COUNTY OF YORK

## MEMORANDUM

**DATE:** December 1, 2000 (BOS Mtg. 12/19/00)

**TO:** York County Board of Supervisors

**FROM:** Daniel M. Stuck, County Administrator

**SUBJECT:** Application No. UP-563-00, Seaford Yacht Club

### **ISSUE**

Application No. UP-563-00 is a request for an amendment to a conforming special use pursuant to Section 24.1-115(c)(4) and Section 24.1-115(d)(3) of the York County Zoning Ordinance to authorize an expansion of the Seaford Yacht Club located at 3108-A Goodwin Neck Road (Route 173). The yacht club proposes to expand its existing meeting room, including handicapped access and expand the parking.

### **DESCRIPTION**

*Property Owner:* Seaford Yacht Club

*Location:* 3108-A Goodwin Neck Road (Route 173)

*Area:* 4.98 acres

*Frontage:* 100 feet on Goodwin Neck Road

*Utilities:* Septic system; public water available

*Topography:* Flat

*2015 Land Use Map Designation:* Low Density Residential

*Zoning Classification:* RR (Rural Residential)

*Existing Development:* Seaford Yacht Club (3,000 square foot structure)

*Surrounding Development:*

<i>North:</i>	Back Creek Park
<i>South:</i>	Single family residential
<i>East:</i>	Single family residential
<i>West:</i>	Back Creek

*Proposed Development:* Meeting room, handicap facilities, and expanded parking

### **CONSIDERATIONS/CONCLUSIONS**

1. The applicant is requesting an amendment to a conforming special use to expand the Seaford Yacht Club meeting room, including the addition of handicap facilities, and expanded parking. The Zoning Ordinance defines a conforming special use as follows: *“Uses in a district for which a special use permit is required, which were legally existing without such a permit at the time of adoption of this chapter or an amendment thereto which required such a special use permit, shall not be deemed nonconforming uses, but shall, without further action, be deemed conforming special uses so long as they continue in existence.”* Such conforming special uses are subject to the provisions of the Zoning Ordinance applicable to special use permits with respect to any enlargement, extension, increase in intensity or relocation. A use permit was not required during the Club’s inception in 1983 when the property was purchased; however, one is required today according to the Zoning Ordinance. Therefore, Seaford Yacht Club is considered a conforming special use. According to Sections 24.1-115(d) of the Zoning Ordinance, enlargements, expansions, increases in intensity, relocation, or modifications in excess of 25%, in either total lot coverage or floor area, are considered a major amendment and may be approved in the same manner and under the same procedures applicable to the issuance of an original use permit. The applicant is proposing to expand the total floor area of the club by approximately fifty percent (50%). The Comprehensive Plan designates this area as Low Density Residential and the property is zoned RR (Rural Residential).
2. The total floor area of the existing yacht club structure is approximately 3,000 square feet. The applicant is proposing to expand this area by 1,493 square feet, which includes a restroom addition equaling 393 square feet. The total of the proposed new additions amount to approximately a 50% increase in total floor area. The proposed meeting room addition will not add any new impervious surface area to the site because the addition will be constructed on top of an existing concrete patio area. The applicant is also proposing to construct a 66’ X 20’ wooden deck that will be attached to the rear of the building. This type of deck construction will allow rainwater to pass through to underneath the deck where a sand and gravel base will allow groundwater recharge. In an area in such close proximity to a Chesapeake Bay tributary, groundwater recharge is preferred over stormwater runoff. It is important to note that the club is not proposing to expand the dock space or the number of slips as part of this request. Additionally, the expansion is not expected to negatively impact the nearest residence which is 250+ feet away from the club.
3. As part of the expansion, the applicant is proposing to expand the parking area by 24 parking spaces. Currently, the parking area can accommodate approximately 55 spaces. According to the conceptual plan submitted by the applicant, the upgraded lot will accommodate 79 spaces, including a handicap space and handicap access. In addition, the parking lot that the applicant has proposed will be better defined with islands, dividers, timber curb stops, and a gravel surface. The current lot has a mixed sand and gravel base and is not well delineated. The proposal to use a gravel surface for the parking lot must meet the requirements in Section 24.1-609(b)(1) of the Zoning Ordinance and is an administrative issue evaluated during the plan review/submittal process.

#### **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission considered this application at its November 8 meeting and, subsequent to conducting a public hearing at which only the applicant spoke, voted 7:0 to recommend approval.

#### **COUNTY ADMINISTRATOR RECOMMENDATION**

I believe that the proposed expansion by the Seaford Yacht Club will have little or no impact on the site or adjacent properties. As with all use permit and rezoning applications, staff has notified all adjacent property owners of this application, and no citizens have expressed any concerns about the proposal, either at the Planning Commission public hearing or otherwise. The proposed meeting room expansion is intended to accommodate growth that has already occurred and will not change the nature of the Club's existing facilities. Furthermore, the Club is strategically utilizing existing areas and structures to prevent any negative impacts on the environment. Therefore, I recommend that this application be approved subject to the conditions set forth in the proposed Resolution R00-201.

Cross/3496

Attachments

- Excerpts of unapproved Planning Commission minutes, November 8, 2000
- Zoning Map
- Sketch Plan
- Proposed Resolution R00-201